

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PETER SLINGLUFF,

Petitioner,

15 Civ. 7269(SAS)(FM)

-against-

GOTTA HAVE ROCK AND ROLL.COM, LLC,  
EDWARD KOSINSKI, and GOTTA HAVE IT!  
COLLECTIBLES, INC.,

Respondents.

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**DECLARATION OF HARTLEY T. BERNSTEIN IN OPPOSITION TO  
CLAIMANT’S PETITION TO CONFIRM THE ARBITRATION  
AWARD AND IN SUPPORT OF RESPONDENT’S CROSS-MOTION  
TO VACATE OR MODIFY THE ARBITRATION AWARD**

Hartley T. Bernstein, under penalties of perjury, declares:

1. I am a member of the law firm of Bernstein Cherney LLP , attorneys for Gotta Have Rock and Roll.com, LLC, Edward Kosinski, and Gotta Have it! Collectibles, Inc., the Respondents in this proceeding. I offer this declaration (i) in opposition to the Petition by Peter Slingluff to confirm the award (the “Award”) rendered in the arbitration entitled *Peter Slingluff v. Gotta Have Rock and Roll.com, Edward Kosinski, and Gotta Have It! Collectibles, Inc.*; and (ii) in support of Respondents’ Motion to Vacate or Modify the Award.

2. The underlying arbitration hearing was conducted in New York City on July 15, 16 and 21, 2015, before arbitrator, John M. Brickman, Esq. ((American Arbitration Association Case No. 01-14-0001-7650)

3 Attached hereto as Exhibit “A” is a true and complete copy of Peter Slingluff’s Demand for Arbitration.

4. Attached hereto as Exhibit “B” is a true and complete copy of the Consignment Agreement between Peter Slingluff and Gotta Have Rock and Roll.com LLC.

5. Attached hereto as Exhibit “C” is a true and complete copy of the February 5, 2015 Letter from Hartley T. Bernstein to Nicholas Rosenberg.

6. Attached hereto as Exhibit “D” is a true and complete copy of Respondents’ Answer to Peter Slingluff’s Demand for arbitration.

7. Attached hereto as Exhibit “E” is a true and complete copy of the March 9., 2015 letter from Hartley T. Bernstein to the American Arbitration Association.

8. Attached hereto as Exhibit “F” is a true and complete copy of the Arbitrator’s First Pre-Hearing Order.

9. Attached hereto as Exhibit “G” is a true and complete copy of Respondents’ Amended Answer to Peter Slingluff’s Demand for arbitration.

10. Attached hereto as Exhibit “H” is a true and complete copy of the Arbitration Award.

11. Attached hereto as Exhibit “I” is a true and complete copy of Peter Slingluff’s Post-Hearing Memorandum

12. Attached hereto as Exhibit “J” is a true and complete copy of the Julien’s Auctions bidding history for subject items.

Executed this 2<sup>nd</sup> day of October 2015

/s/ Hartley T. Bernstein  
Hartley T. Bernstein

